

## Eagleview Recreation Site

### **Decision Document**

An Interdisciplinary (ID) Team of the Swiftwater Field Office, Roseburg District, Bureau of Land Management has analyzed the proposed Eagleview Recreation Site project. This analysis and the "Finding of No Significant Impact" (FONSI) were documented in Environmental Assessment (EA) No. OR-106-94-17. The thirty-day public review and comment period was completed on September 24<sup>th</sup>, 2001. No letters with comments were received as a result of public review.

This proposal is in conformance with the *"Final - Roseburg District Proposed Resource Management Plan / Environmental Impact Statement (PRMP/EIS) dated October 1994 and its associated Roseburg District Record of Decision and Resources Management Plan (RMP) dated June 2, 1995.*

The EA analyzes the implementation of the Proposed Action Alternative. The proposed action involves the development of a group/overflow recreation facility that would consist of a ten-unit campground and a day-use area. It is approximately 25 miles northwest of Roseburg, Oregon, located in Section 11; T24S R7W; W.M.

The following changes to or clarifications of the EA should be noted: 1) the land use allocation in which the project takes place is late-successional reserve instead of matrix, as originally stated in the EA; 2) the recreation site will not develop an area dedicated to tent camping; 3) minimal construction would occur in the open grass area at the north end of the proposed campground area; 4) a gravel road would be constructed from the grass area's south entrance/exit through the north end of the myrtlewood grove with two entrances/exits accessing the county road along the west boundary of the grass area; 5) gated entrances would allow for controlled seasonal access and provide restricted access to the campground host site and recreational/maintenance facilities, additionally the area immediately surrounding the entrance/exits in the grass area would occasionally provide overflow parking on the grass; 6) The campground host would be responsible for enforcing noise restrictions as stated in the Recreation Supplementary Rules for designated campgrounds, "no person shall operate or use any audio or motorized equipment, or create or allow obtrusive noises (human or animal) in a manner that disturbs other visitors between 9 p.m. and 8 a.m." (FR: 60: p. 13165); 7) no work will occur within the bankfull (the high water level for most years) area of the Umpqua River. These changes do not alter the analysis or conclusions of the EA.

### Decision

It is my decision to authorize the implementation of the Proposed Action Alternative as outlined in the EA (Section II, pgs. 6 - 9). This decision incorporates the above changes of the EA.

These changes are noted in the Revised Exhibit B. It is my determination that these changes would not result in environmental effects beyond those already analyzed in the EA therefore additional analysis would not be necessary and the analysis described in the EA would be adequate.

The project design features for this alternative are listed on pages 7-9 of the EA. These features have been developed into contract stipulations and will be implemented as part of the project construction contract.

The following specifics should be noted as the result of the project design:

1. Construction would not occur between April 1 and August 5. Construction activity between August 6 and September 15 would be within daily operating restrictions (between 2 hrs after sunrise and 2 hrs before sunset). No restrictions after September 15. No suitable murrelet habitat would be removed.
2. The campground would be used for overflow or group reservation camping only between May 25 and September 15.
3. No designated tent area would be constructed.
4. To minimize attracting corvids to the area, litter disposal will be controlled and monitored in the campground area. The campground host will provide patrols and maintenance. Recreational maintenance crews and /or contract cleaning personnel will maintain the campground. The District will provide animal-proof garbage cans and dumpsters and adequate garbage disposal service.
5. No suitable spotted owl habitat would be removed or downgraded from the reconstruction or operation of the proposed Eagleview campground.
6. No suitable bald eagle habitat would be removed. No disturbance above ambient noise levels will occur within 0.25 miles of a known bald eagle nest between February 15 and August 31 or until non-nesting is determined.
7. Potential bald eagle roost/nest tree(s) subsequently designated as hazard trees for safety concerns would be topped or pruned. If it is determined a tree must be removed, consultation would be reinitiated.

#### Decision Rationale

The Proposed Action Alternative meets the objectives for lands in LSR and Riparian Reserve Land Use Allocations and follows the management actions/directions set forth in the *"Roseburg District Record of Decision and Resources Management Plan"* (RMP), and the Standards and Guidelines for the *"Final Supplemental Environmental Impact Statement (FSEIS) on Management of Habitat for Late-Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl"* (Feb. 1994) and the Record of Decision (ROD) for that plan dated April 13, 1994.

Section II of the EA describes three alternatives: 1) "No Action" alternative; 2) Campground Reconstruction alternative; and 3) Restoration alternative. The No Action alternative was not selected because Federal Regulations allow intermittent use of the proposed project area, including camping, motor and foot traffic. Additionally, the No Action alternative does not meet the Aquatic Conservation Strategy. Alternative 3 was not selected because major restoration and reshaping of altered landforms would be required. The NMFS Letter of Concurrence states, "no work would occur in the bankfull area of the Umpqua River, so individual O[regon] C[oast] coho salmon should not be directly injured or killed." The procedures necessary to accomplish this would not meet ACS objectives. Additionally, extensive protection and patrolling of the site would be necessary to reverse current usage patterns.

Cultural clearance with the State Historical Preservation Office was completed and resulted in a "No Effect" determination.

Consultation with U.S. Fish and Wildlife Service for this project has been completed. The Biological Opinion concluded that the action is " . . . not likely to jeopardize the existence of the spotted owl, murrelet, and not likely to destroy or adversely modify designated critical habitat for the murrelet."

An Incidental Take permit was issued, in accordance with sections 7 and 9 of the Endangered Species Act, for the marbled murrelet." The USFWS states, "[t]his take will be difficult to detect because take due to harassment is difficult to quantify." The USFWS says that the impact of noise disturbance from the presence of campers is unknown and that "[I]n rare cases a noise-induced movement may expose" (FWS Biological Opinion (BO), pgs. 29, 30) murrelets to increased predation. The USFWS requires the following reasonable and prudent measures to minimize take:

1. Prevent disturbances to murrelets and their progeny via seasonal and daily timing restrictions during the nesting season.
2. Minimize impacts from predators to murrelets and their progeny by implementing garbage control measures, placing educational information in the campground, and incorporating information regarding murrelet predation by corvids into the environmental interpretive talks to the campground occupants.

A Letter of Concurrence (LOC) has been received from the National Marine Fisheries Service (NMFS) concurring that the action is " . . . not likely to adversely affect Oregon Coast (OC) coho salmon or its critical habitat. . . ." "The U[mpqua R[iver] cutthroat trout Evolutionary Significant Unit is no longer listed under the ESA" and was not considered in the LOC.

This decision is based on the fact that the Proposed Action Alternative implements the Standards and Guidelines (S&Gs) as stated in the NFP and the Management Actions / Directions of the RMP. The project design features as stated in the EA would protect the Riparian Reserves, minimize soil compaction, limit erosion, protect slope stability, wildlife, air, water quality, and fish habitat, as well as protect other identified resource values. This decision recognizes that impacts will occur to these resources, however, the impacts to resource values would not exceed those identified in the *Final Supplemental Environmental Impact Statement* (FSEIS) and the *Final - Roseburg District Proposed Resource Management Plan / Environmental Impact Statement* (PRMP/EIS). The Decision provides timber commodities with impacts to the environment at a level within the bounds of the RMP/EIS.

Comments were solicited from affected tribal governments, adjacent landowners and affected State and local government agencies. No comments were received from these sources. During the thirty-day public review period, comments were solicited from the general public and none were received.

### Compliance and Monitoring

Monitoring will be conducted as per the guidance given in the RMP (Appendix I). Additionally, the Terms and Conditions of the BO state "The District shall monitor, and file a monitoring report with the Fish and Wildlife Service, for all actions which are likely to adversely affect a listed species. Monitoring should focus on human use of the campground and murrelet predator populations before the campground restoration is completed and after the campground restoration is completed" (FWS BO, pg.30).

### Protest and Appeal Procedures

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, 1849 C Street, N.W., Washington D.C. 20240; in accordance with the regulations contained in 43 CFR, part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed within 30 days from the receipt of this decision. The appellant has the burden of showing that the decision appealed is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate office of the Solicitor at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied,
2. The likelihood of the appellant's success on the merits,
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

For further information, contact Jay K. Carlson, Field Manager, Swiftwater Field Office, Roseburg District, Bureau of Land Management, 777 NW Garden Valley Blvd; Roseburg, OR. 97470, 541 440-4931.

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Jay K. Carlson, Field Manager  
Swiftwater Field Office

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Date